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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

ROGER R. CRANE, JR., : 07 CV 7063 Judge Jones

Plaintiff, :

**ANSWER; COUNTERCLAIMS AND
DEMAND FOR JURY TRIAL**

-against- :

:

:

POETIC PRODUCTS LIMITED,

Defendant. :

-----X

Defendant, Poetic Products Limited ("Poetic Products") hereby answers the allegations in the Complaint filed by Plaintiff Roger R. Crane, Jr. ("Crane"), asserts its affirmative defenses, and asserts counterclaims for copyright infringement and unfair and deceptive trade practices.

I. ANSWER

For its Answer, Poetic Products hereby states:

NATURE OF THIS ACTION

1. Poetic Products admits that Crane authored a play entitled "The Last Confession" (the "Play") and that Crane is a New York attorney. Poetic Products further admits that the Play was performed in the UK at the Theatre Royal, Haymarket, London from late June 2007 until

approximately September 2007 subsequent to its first public performance at the Chichester Festival Theatre, Chichester, England in early May 2007, and thereafter at various locations in England until its transfer to London in early June 2007. The reviews of the Play were mixed, some positive, others not. Poetic Products admits that Pope John Paul I's death in 1978 was untimely, occurring 33 days after his election as Pope, and that his death was of public knowledge and interest at the time and subsequently and continues to be of public interest. Poetic Products admits that no official Vatican investigation was conducted into the Pope's death, no autopsy was performed and the Vatican's press release about the cause of death was, in David Yallop's view as expressed in "In God's Name," false. The reminder of this paragraph is denied.

2. Poetic Products admits it holds the copyright to a book authored by David Yallop entitled "In God's Name: An Investigation Into The Murder of Pope John Paul I" ("In God's Name"). Poetic Products admits as to the most recent edition of In God's Name published in 2007, that it is stated that on the cover that the book is a "classic work of investigative writing whose revelation will continue to reverberate around the world." Poetic Products admits the allegation in paragraph 2 regarding the preface of In God's Name and that it states "all the information, all the details, all the facts, have been checked and double checked to the extent multiple sources were available. [David Yallop] take[s] the responsibility for putting the evidence together and for the conclusions reached."

3. Poetic Products admits that it claims The Last Confession infringes In God's Name. Poetic Products admits that the parties were involved in pre-suit communications in the UK with respect to Crane's infringement in that country. Poetic Products otherwise denies the remaining allegations in paragraph 3 of the Complaint.

4. Poetic Products denies that The Last Confession is not substantially similar to In God's Name and that Poetic Products has no basis for claiming infringement. Poetic Products is without sufficient knowledge or information to form a belief as to the truth of the allegations regarding Crane's motivation or purpose in filing this action as stated in paragraph 4 of the Complaint and, therefore, Poetic Products denies same.

PARTIES

5. Poetic Products admits that Crane is an attorney who practices law in New York, and that the face of the certificates of registration for "The Last Confession," Registration No. TX-4-640-311 and Registration No. PAu-2-801-288 indicate the copyrights were issued to Crane. Poetic Products is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 5 of the Complaint and, therefore, denies them.

6. Poetic Products admits it is a private company incorporated under the laws of England and Wales with its registered office at 58-60 Berners Street, London, England.

7. Poetic Products admits it holds a U.S. and UK copyright to the book "In God's Name" which book is authored by David Yallop.

8. Poetic Products admits that it registered "In God's Name" with the United States Copyright Office, Registration Number TX-1-499-279.

9. Poetic Products admits "In God's Name" is published by "Carroll & Graf," an imprint of Avalon Publishing Group, Inc., located at 245 West 17th Street, 11th Floor, New York, New York 10011 and that "In God's Name" is sold in bookstores in New York City, and may be purchased in New York and elsewhere via the Internet.

JURISDICTION AND VENUE

10. The allegations in paragraph 10 are legal conclusions to which no response is required. To the extent paragraph 10 contains any factual allegations, Poetic Products denies them.

11. Poetic Products denies the allegations in paragraph 11.

12. The allegations in paragraph 12 are legal conclusions to which no response is required. To the extent paragraph 12 contains any factual allegations, Poetic Products denies them.

THE CONTROVERSY BETWEEN THE PARTIES

13. Poetic Products admits Crane has authored a play entitled "The Last Confession", which infringes Poetic Products' registered U.S. copyright in "In God's Name," and to that extent Crane is infringing Poetic Products' rights and unlawfully and unfairly competing with Poetic Products. Poetic Products also admits it has taken lawful and appropriate steps in the UK to protect its valuable UK copyright in "In God's Name, including asserting its entitlement to relief with respect to infringement of such copyright by Crane. Poetic Products otherwise denies the allegations in paragraph 13, and specifically denies that the alleged communications occurred with respect to Poetic Products' registered U.S. Copyright.

14. Poetic Products admits Crane responded to Poetic Products' allegations of infringement by stating "The Last Confession" does not infringe "In God's Name" under UK copyright law.

FIRST CAUSE OF ACTION (DECLARATORY JUDGMENT PURSUANT TO 28 U.S.C. § 2201(a))

15. Poetic Products hereby repeats and asserts its responses to paragraphs 1 through 14 as if fully set forth herein.

16. Poetic Products denies the allegations in paragraph 16 of the Complaint.

17. Poetic Products admits Crane has authored a play entitled "The Last Confession," which infringes Poetic Products' registered U.S. copyright in "In God's Name," and to that extent Crane is unlawfully and unfairly competing with Poetic Products. Poetic Products also admits it has taken lawful and appropriate steps to protect its valuable rights in its UK copyright and in its work "In God's Name." The remainder of paragraph 17 is denied.

18. Poetic Products denies the allegations in paragraph 18 of the Complaint.

19. The allegations in paragraph 19 of the Complaint are legal conclusions to which no response is required. To the extent paragraph 19 contains any factual allegations, Poetic Products denies them.

AFFIRMATIVE DEFENSES

FIRST DEFENSE

The Complaint fails to state a claim upon which relief may be granted.

SECOND DEFENSE

The Complaint is barred because Crane fails to state his claims with particularity, thereby barring Poetic Products from ascertaining the true and factual nature of Crane's claims and depriving Poetic Products from defending against the Complaint.

THIRD DEFENSE

Crane's claims are barred by the doctrine of unclean hands.

FOURTH DEFENSE

Crane's claims are barred by the doctrine of estoppel.

FIFTH DEFENSE

The Complaint fails to allege a justiciable case and controversy as required by the Declaratory Judgment Act.

SIXTH DEFENSE

Poetic Products reserves the right to amend its affirmative defenses as warranted by discovery and additional information learned in this case.

WHEREFORE, Poetic Products Limited asks that this Court enter judgment in favor of Poetic Products, dismiss Plaintiff's claims against Poetic Products, and award Poetic Products its attorney's fees and costs incurred in connection with defending this action, plus any and all other relief this Court deems just and proper.

II. COUNTERCLAIMS

Defendant/counter-plaintiff, Poetic Products Limited, sues plaintiff/counter-defendant, Roger R. Crane, Jr., and alleges:

PARTIES

1. Defendant/counterclaim-plaintiff Poetic Products Limited ("Poetic Products") is a foreign corporation incorporated under the laws of England and Wales with its registered office at 58-60 Berners Street, London, England.

2. Upon information and belief, plaintiff/counter-defendant Roger R. Crane, Jr. ("Crane") is an attorney who practices law in New York, New York.

JURISDICTION AND VENUE

3. This Court has subject-matter jurisdiction over Poetic Products' claims for copyright infringement and related claims pursuant to 17 U.S.C. § 101 et seq. This Court has jurisdiction over this action under 28 U.S.C. § 1331 and 28 U.S.C. § 1338. This Court has

supplemental jurisdiction over Poetic Products' state law claims under the doctrine of supplemental jurisdiction.

4. Venue is proper in the Court, pursuant to 28 U.S.C. §§ 1391(b) and 1400(a), because (a) the acts of infringement and other wrongful conduct alleged occurred in this District and (b) Crane may be found in this District.

FACTUAL ALLEGATIONS

5. Poetic Products holds and licenses rights to a published book authored by David Yallop entitled "In God's Name: An Investigation into the Murder of Pope John Paul I" (the "Work").

6. Poetic Products owns the exclusive rights to the Work. It holds a valid U.S. copyright in the Work that was duly and properly registered with the United States Copyright Office, bearing the Registration Number TX-1-499-279. See Exhibit A.

7. In the UK, Crane (himself, through his agents or by others who acted on his behalf) engaged in conduct, and/or authorized conduct, including the advertising, marketing, promotion, performance and publication of a script and/or other works that infringe Poetic Products' Work namely, a play entitled "The Last Confession" (the "Play"). Such conduct and/or the authorization of such conduct, infringed Poetic Products' UK copyright in In God's Name. The Play was published in the UK and performed in theaters in the UK.

8. As a result of Crane's infringing acts in the UK, on or about June 18 and 22, 2007, Poetic Products notified Crane by letters from Poetic Products' English lawyers to Crane's English agent and English lawyers that Crane's Play and acts within the UK infringe Poetic Products' UK intellectual property rights.

9. In response to this written notice regarding breach of the UK copyright, Crane (through his English lawyers) denied that his Play infringes Poetic Products' UK copyright.

10. The similarities between In God's Name and the Play have been noted publicly as demonstrated, *inter alia*, by the following UK press reports:

(a) In an article published in the London Evening Standard newspaper of June 19, 2007 which reported on an interview with the famous lead actor in the English production of the play, David Suchet, it was stated that "The Last Confession is based on David Yallop's book In God's Name, which has already sold more than six million copies...". It is to be assumed that the author of the article, Fiona Maddocks, based that statement upon information provided to her by David Suchet. Such assumption is based in part upon Mr. Suchet's statement, quoted in the article, that "I first got involved with the play some five years ago, and spent some time working on the script with Robert (sic) Crane", indicating that his knowledge is based upon participation in the writing of the script, in addition to his playing the lead role and having carried out research in preparation for that role. See Exhibit B.

(b) In the London published "Big Issue" magazine for the week of July 16-22 2007, a review of the Play stated "His [John Paul 1's] early demise has given rise to conspiracy theories aplenty, and David Yallop's multi-million-selling book, In God's Name, on which this new play by Roger Crane is based". See Exhibit C.

11. Upon information and belief, Crane has also committed and/or is continuing to commit acts of copyright infringement against Poetic Products in the U.S., which acts are the subject of this Counterclaim. More specifically, the infringing Play was authored in the U.S. and Crane has published and marketed the Play and/or continues to do so in this country. As a result,

Poetic Products has been damaged and suffered irreparable injury through, *inter alia*, Crane's past copyright infringement of the Work and/or new and future infringements; lost profits and/or opportunities; and damage to Poetic Products' goodwill and reputation. The full extent of Crane's infringement and the resulting damages is not yet known. Crane's conduct has been willful, or, at a minimum, should have known that his actions constitute infringement. Therefore, Crane has been willfully blind and has acted in reckless disregard of Poetic Products' Work and U.S. registered copyright.

12. Poetic Products brings this Counterclaim to restrain and enjoin Crane from his continuing infringement of Poetic Products' rights in the Work in the U.S. Poetic Products further seeks to recover monetary damages as compensation for the harm that it has suffered as a result of Crane's wrongful conduct.

COUNT I
(Copyright Infringement)

13. Poetic Products realleges and incorporates by this reference each and every allegation set forth in paragraphs 1 through 12 of this Counterclaim.

14. Poetic Products is the sole owner of the Work and the corresponding U.S. copyright and Certificate of Registration.

15. Crane has infringed the U.S. copyright in the Work by authoring and/or reproducing an infringing work, and further by marketing, promoting and/or distributing infringing materials in the U.S. without approval or authorization from Poetic Products.

16. As a result of Crane's conduct, he is liable to Poetic Products for copyright infringement. See 17 U.S.C. § 501. Poetic Products has suffered and continues to suffer damages. Poetic Products is entitled to recover its damages, which include any and all profits

Crane has made as a result of his wrongful conduct. See 17 U.S.C. § 504. Alternatively, Poetic Products is entitled to statutory damages under 17 U.S.C. § 504(c).

17. In addition, Crane's infringement has been willful within the meaning of the Copyright Act. At a minimum, Crane has acted with willful blindness to and in reckless disregard of Poetic Products' registered copyrights. Accordingly, the award of statutory damages should be enhanced in accordance with 17 U.S.C. § 504(c)(2).

18. Poetic Products is also entitled to injunctive relief, pursuant to 17 U.S.C. § 502, and to an order impounding any and all infringing materials, pursuant to 17 U.S.C. § 503. Poetic Products has no adequate remedy at law for Crane's wrongful conduct because, among other things:

(a) The Work and Poetic Products' copyright is unique and valuable property that has no readily determinable market value;

(b) Crane's infringement harms Poetic Products such that Poetic Products could not be made whole by any monetary award; and

(c) Crane's wrongful conduct and the resulting damage to Poetic Products is continuing.

19. Poetic Products is also entitled to recover its attorneys' fees and costs of suit. See 17 U.S.C. § 505.

COUNT II
(Common Law Unfair Competition)

20. Poetic Products realleges and incorporates by this reference each and every allegation set forth in paragraphs 1 through 12 of this Counterclaim.

21. Crane's acts and conduct, as alleged above, constitute unfair competition under applicable common law.

22. Crane's acts and conduct are likely to cause confusion and mistake among customers and the public as to the origin or association of Crane's infringing Play. These acts and conduct are likely to lead the public to conclude, incorrectly, that Crane's infringing Play originates with, is sponsored by, or is authorized by Poetic Products, to the damage and harm of Poetic Products and the public.

23. Crane's acts and conduct, as alleged above, has damaged and will continue to damage Poetic Products and has resulted in losses to Poetic Products and an illicit gain of profit to Crane in an amount that is unknown at the present time.

PRAYERS FOR RELIEF

WHEREFORE, Poetic Products respectfully requests judgment against Crane as follows:

- (A) That the Court enter a judgment finding:
 - (i) that Crane has infringed Poetic Products' exclusive rights in Certificate of Copyright Registration No. TX-1-499-279, in violation of 17 U.S.C. § 501;
 - (ii) that Crane has engaged in unfair methods of competition in violation of applicable common law;
 - (iii) that Crane has otherwise injured the business reputation and business of Poetic Products by the acts and conduct set forth in this Counterclaim; and
 - (iv) that Crane's acts were willful.
- (B) That the Court issue injunctive relief against Crane, and that Crane, his principals, directors, officers, agents, representatives, servants, employees, attorneys, successors and assigns, and all others in active concert or participation with Crane, be enjoined and restrained from continued and future infringement of the Work.
- (C) That the Court order Crane to pay Poetic Products damages as follows:

(i) Poetic Products' damages and Crane's profits pursuant to 17 U.S.C. § 504(b), or in the alternative, enhanced statutory damages pursuant to 17 U.S.C. § 504(c)(2), for Crane's willful infringement; and

(ii) Poetic Products' damages and Crane's profits pursuant to applicable common law.

(D) That the Court order Crane to pay Poetic Products both the costs of this action and the reasonable attorneys' fees incurred by Poetic Products in prosecuting this action; and

(E) That the Court grant Poetic Products such other and additional relief as is just and proper.

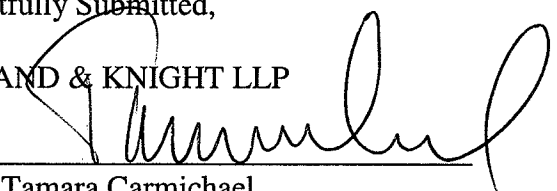
JURY DEMAND

Poetic Products demands a jury trial on all claims so triable.

Respectfully Submitted,

HOLLAND & KNIGHT LLP

By: _____


Tamara Carmichael
Christelette Hoey
Joshua Krumholz (*Pro Hac Papers
to be Submitted*)
195 Broadway, 24th Floor
New York, New York 10007
(212) 513-3200 (telephone)
(212) 385-9010 (fax)

4835561_v6

Exhibit A

FORM TX

UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

TX: 1-499-279

EFFECTIVE DATE OF REGISTRATION

12 3 84
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼

IN GOD'S NAME

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2 NAME OF AUTHOR ▼

a Poetic Products Ltd. (Employer for hire of David A. Yallop)

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?

☒ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of ▼

Domiciled in ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

☐ Anonymous? ☐ Yes ☐ No

☐ Pseudonym? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼

Entire Work except photographs

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?

☐ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of ▼

Domiciled in ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

☐ Anonymous? ☐ Yes ☐ No

☐ Pseudonym? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?

☐ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of ▼

Domiciled in ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

☐ Anonymous? ☐ Yes ☐ No

☐ Pseudonym? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼

3 YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED This information must be given in all cases.
1984 Year

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK Complete this information ONLY if this work has been published.
Month Day Year
June 11 1984
U.S.A. Nation

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Poetic Products Ltd. c/o Jonathan Cape Ltd.
30 Bedford Square
London WC1B 3EL ENGLAND

APPLICATION RECEIVED

13 DEC 1984 18 DEC 1985

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

13 DEC 1984

REMITTANCE NUMBER AND DATE

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

NOTE ON BACK • Complete all applicable spaces (numbers 5-11) on the reverse side of this page.
• See detailed instructions.
• Sign the form at line 10.

Page 1 of 1

TX 1-499-279

EXAMINED BY

FORM TX

CHECKED BY

☒ CORRESPONDENCE☐ DEPOSIT ACCOUNT FUNDS USEDFOR
COPYRIGHT
OFFICE
USE
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼☐ This is the first published edition of a work previously registered in unpublished form.☐ This is the first application submitted by this author as copyright claimant.☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give Previous Registration Number ▼

Year of Registration ▼

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.**a. Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates. ▼**b. Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼**MANUFACTURERS AND LOCATIONS** If this is a published work consisting preponderantly of nondramatic literary material in English, the law may require that the copies be manufactured in the United States or Canada for full protection. If so, the names of the manufacturers who performed certain processes, and the places where these processes were performed must be given. See instructions for details.

Name of Manufacturer ▼

Fairfield Graphics

Place of Manufacture ▼
Fairfield, PA**REPRODUCTION FOR USE OF BLIND OR PHYSICALLY HANDICAPPED INDIVIDUALS**

A signature on this form at space 10, and a check in one of the boxes here in space 8, constitutes a non-exclusive grant of permission to the Library of Congress to reproduce and distribute solely for the blind and physically handicapped and under the conditions and limitations prescribed by the regulations of the Copyright Office: (1) copies of the work identified in space 1 of this application in Braille (or similar tactile symbols); or (2) phonorecords embodying a fixation of a reading of that work; or (3) both.

☒ Copies and Phonorecords☐ Copies Only☐ Phonorecords Only**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼

Bantam Books, Inc.

Account Number ▼

DA 015512

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

Nancy Kenney c/o Bantam Books

Free Code & Telephone Number ▶ 800 223-6834

CERTIFICATION I, the undersigned, hereby certify that I am the

Check one ▶

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of Poetic Products Ltd.

Name of author or other copyright claimant, or owner of exclusive right(s) ▶

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this is a published work, this date must be the same as or later than the date of publication given in space 3

Nancy Zoole Kenney

Date ▶ 11/1/84



Handwritten signature (X) ▼

NAME
COPYRIGHT
OFFICE TOCertificate
will be
mailed in
envelope
enclosed

Name ▼

Bantam Books, Inc. (Attn.: N.Z. Kenney)

Number/Street/Apartment Number ▼

666 Fifth Avenue

City/State/Zip ▼

New York, New York 10103

Have you:

- Completed all necessary spaces?
- Signed your application in space 10?
- Enclosed check or money order for \$10 payable to Register of Copyrights?
- Enclosed your deposit material with the application and fee?

MAIL TO: Register of Copyrights
Library of Congress, Washington,
D.C. 20540

* 17 U.S.C. § 1005: Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

* U.S. GOVERNMENT PRINTING OFFICE: 1983-381-279/807

GPO: 1983-498-888

Exhibit B

A thriller based on the death of Pope John Paul I could become the West End's least likely hit. The story will continue to fascinate, says its star David Suchet



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PERHAPS it's the Da Vinci Code or Dan Brown or a fascination with Opus Dei, but I've been stunned by the amazing response," says David Suchet, star of a gripping mystery thriller about to open in the West End following rave reviews at its Chichester premiere last month. "Letters and messages have been pouring in. It's touched a nerve."

A pontiff found unexpectedly dead in bed, a crisis of faith and a nest of vipers in the Vatican — these are the fantastical true-life ingredients for Roger Crane's new play *The Last Confession*, about Pope John Paul I (Albino Luciani), the "smiling" Italian who occupied St Peter's throne in 1978 for only 33 days. Just weeks after his triumph as a burly, gravel-voiced Robert Maxwell in the BBC2 drama about the late tycoon, Suchet is tackling another fact-based role that once again centres around a sudden, unexplained death.

Swathed in gorgeous scarlet, crucifix swinging, this brilliantly versatile actor plays Cardinal Benelli, who persuaded the reluctant John Paul to accept the Papacy then felt responsible for his early demise.

"At the simplest level," Suchet explains, "this is a dark thriller about who murdered John Paul I, the Church's only really liberal, reforming and modernising Pope — if, indeed, he was murdered. On another, it's about one man's loss of faith, his bitterness and confusion, and a power struggle at the heart of the Catholic Church."

The Last Confession is based on David Yallop's book *In God's Name*, which has already sold more than six million copies (and had its central tenet refuted by British journalist John Cornwell). Yallop argues that several cardinals — such as the shady Vatican banker Cardinal Marcinkus, a character in the play — stood to lose everything by John Paul's appointment.

Those men are now dead. Why did they issue false statements about the circumstances of the pope's death? Why was the body hastily embalmed, with no autopsy? As the play hints, poisoned coffee, or even sweets, may have killed him.

"Since then," Suchet comments, "we have had two arch conservatives in the Vatican. First John Paul II and now Pope Benedict. Luciani could have had a revolutionary and cataclysmic effect on Catholicism" — a religion observed by around one-fifth of the world's population and now as a result of immigration from Eastern Europe, the fastest-growing faith in the UK.

This gentle pope's death has also been linked with the gruesome fate of Roberto Calvi, "God's Banker", found hanging under Blackfriars Bridge in 1982. He made fresh headlines this month when five people were acquitted of his murder: The CIA, the Soviet Union, Freemasons, Opus Dei and the mafia all have shadowy parts in this complex plot (touched on in the film *The Godfather: Part III*). Far from being solved, these Vatican mysteries have only deepened.

Such matters fascinate Suchet, 61, younger brother of John, the Beethoven-



Deadly sins: character actor David Suchet yet again proves his versatility with his role as a Vatican schemer after playing media tycoon Robert Maxwell

Suchet's act of faith

loving newsreader, not least because of his own deeply held religious faith. Born in London of a Jewish-Lithuanian gynaecologist father and Protestant mother, he converted to Christianity some two decades ago, finally being confirmed into the Anglican Church (by the Bishop of London) last year.

"Wikipedia has me down as a Catholic and that's now been repeated everywhere but it's not the case. Like many, I'd long felt a need to explore spiritual matters. I happened to start by reading the

Letters of St Paul. Is it just chance I became a Christian? Perhaps. What if I had opened the Koran instead, or the Hebrew Bible?"

His own theological explorations have sharpened his understanding of the role of Benelli. "The issue of struggle and doubt and dogma is all too recognisable. Fanaticism scares the hell out of me. I visited Rome for the first time not long ago — just as a tourist — and was overwhelmed by the Vatican's dominance in the city. To see thousands of people in St Peter's Square kneeling down in the presence of the Pope was extraordinary."

He recently spent five days — in total silence — on retreat, at an Anglican Benedictine priory in Oxfordshire. "I didn't go because of the play. I went to pray and meditate but as much as anything, to get away from all the labour-saving devices of modern life which put us under such pressure."

Did his wife, actress Sheila Ferris, with whom he has two grown-up children, object? "Not at all. She's very supportive, and recognises it matters to me. No wonder that TV reality series *The Monastery* was so popular. There's a huge hunger for spiritual peace."

We meet in his powder-blue dressing room in Bath's Theatre Royal, the play's last stop before the West End. Famous for his 70 TV episodes as Agatha Christie's Belgian detective Poirot, Suchet is perhaps most recognisable for his distinctive, hawkish eyebrows, which seem to arrive in the room ahead of the rest of him.

Affable, courteous and charismatic but far from flannoyant, he offers

white tea, green tea, stem ginger, key ingredients in a simple regime to keep a clear throat for this major role.

"I first got involved with the play some five years ago, and spent some time working on the script with Robert Crane. Then nothing came of it. Suddenly David Jones came aboard. I haven't worked with him since 1975 but this is like a reunion of all the team from our RSC days (Richard O'Callaghan, Bernard Lloyd, John Franklin-Robbins, Charles

Suchet reveals that he plans four more Poirots for TV and to make the complete set available on DVD, but stage acting remains a first love. "The real fun for me, the gift given to me as an actor, is the chance to play such different roles."

Recent appearances include *Man and Boy* and *Once in a Lifetime*, heading a long list of credits including *Salieri* in *Amadeus* and a dozen RSC Shakespeares in the 1980s.

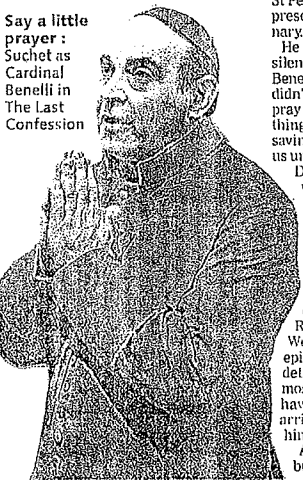
"People always ask who is the real David Suchet because I've always done character parts. I started off as a 23-year-old actor playing an octogenarian. I knew I was never going to be *Glavin* and the next Cary Grant. I'm short, stocky, with a deep voice and the biggest make-up bag in the business."

A Docklands resident with a passion for water (he is Chairman of the River Thames Alliance) Suchet will travel to the Haymarket Theatre by boat, just as Shakespeare's actors were once ferried to the Globe. "I get off at Savoy Pier. One of my greatest joys is using London's Clipper river boats. Beautiful carpets, lovely seats, on the one from the Tate you can even get a cup of coffee. No traffic lights! The best way for Londoners to get about."

Each night his journey will take him under Blackfriars Bridge where, a quarter of a century ago, Roberto Calvi's body hung from scaffolding, with bricks and \$15,000 in his pockets. "Nothing is eternal except greed, ambition and death," remarks Suchet's character in *The Last Confession*. To that list might be added conspiracy theories.

© *The Last Confession* previews from 28 June at the Theatre Royal Haymarket. Information: 0870 4000 626.

Say a little prayer: Suchet as Cardinal Benelli in *The Last Confession*



'The issue of struggle and doubt and dogma is all too recognisable. Fanaticism scares the hell out of me'

Kay) all of us with the chance to dress up in the finery and regalia of cardinals."

The Last Confession is just the latest of a string of plays to make drama out of recent history — Peter Morgan's *Frost/Nixon*, Tom Stoppard's *Rock 'n' Roll*, not to mention works by Michael Frayn, David Hare and David Edgar as well as the Tricycle Theatre's documentary dramas such as *Guantánamo*. Why the trend?

"People are always interested in moments in history, how events came about, who made things happen. But the West End is nervous about new plays and this one defies all the usual safety rules, having a huge cast of 15 main roles, mostly older men and only one woman, a nun!"

Exhibit C

1st ISSUE
JULY 16-22 07

BOOKS, ART AND THEATRE: ENTERTAIN

Untitled from the series Pictures From A Rubbish Tip, 1988-1989, by Keith Arnatt

BEYOND BELIEF

THEATRE

THE LAST CONFESSION
UNTIL SEPTEMBER 15
Haymarket Theatre

Pope John Paul I ruled over the Catholic Church in 1978 for just 33 days before dying in slightly suspicious circumstances. His early demise has given rise to conspiracy theories aplenty, and David Yallop's multi-million-selling book, *In God's Name*, on which this new play by Roger Crane is based. At the simplest level, it's a whodunit, a mystery that even Hercule Poirot would be pushed to solve.

I mention Agatha Christie's 'tec since, at the heart of the production, is David Suchet as one Cardinal Benelli, who makes the eponymous confession and reveals events in flashback.

A fascinating and powerful figure, he persuades the retiring Albino Luciani to become Pope John I, and after his death narrowly misses becoming pope himself, eventually having to give way to the Pole Karol Wojtyla, who became Pope John Paul II.

The short-lived pontiff was a liberal man of simplicity and humility – delightfully played by Richard O'Callaghan – whose principle aim was to take the church back to humanitarian basics. He gave the corrupt and powerful in the Vatican their marching orders, but died later on the very day that he faced up to his traditionalist opponents. Everything about his death and intentions was hushed up; there was no autopsy.

More than a thriller, this is also a play about power, faith, ambition and greed, set as it is among the politicking of the Vatican. "In the Vatican, everything is confidential and nothing is secret," remarks one character. All those red cardinals' cloaks swishing around and William Dudley's scenery of grilles and doors certainly suggest

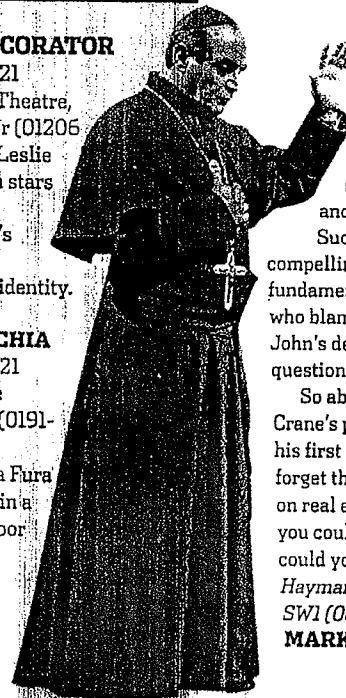
RECOMMENDED

THE DECORATOR

JULY 16-21
Mercury Theatre,
Colchester (01206
573948) Leslie
Grantham stars
in Donald
Churchill's
farce of
mistaken identity.

NAUMACHIA

JULY 20-21
Newcastle
Quayside (0191-
443 4661)
Catalan Ila Fura
dels Baus in a
huge outdoor
spectacle
with 60
aerial
acrobats.



David Suchet
in *The Last
Confession*

plotting and
claustrophobia
in David Jones'
superbly acted
and polished production.

Suchet, in particular, is
compelling as a flawed but
fundamentally decent man,
who blames himself for Pope
John's death, and comes to
question his own faith.

So absorbing is US lawyer
Crane's play – surprisingly,
his first – that you tend to
forget that this is all based
on real events. I mean,
you couldn't make it up,
could you?

Haymarket Theatre, London
SW1 (0870 901 3356)
MARK COOK

ing have entered the
ream, at 75 years old, he
a relatively unknown gem.
Photographers' Gallery,
Newport Street,
WC2 (020-7831 1772,
photonet.org.uk)

WINCOOMER

RECOMMENDED

MANGRIFFITHS

MAY 2008
Great Road
Ground Station,
SW7
(all.gov.uk/pfa)
panda and a caravan
two of the sculptures
British artist has made
Gloucester Road's
platform, the latest
Platform For Art

NEONATURISTS

JULY 21
and Co, 216
bourne Grove, London
(020-7221 0417,
englandgallery.com)
perspective of this small
of subversives who, in
Thatcher years,
kit off in the name
includes ceramics by
son Perry.

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PROGRAMME DAILY
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London SE1 2AA

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open 8am - 8pm weekdays only

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London SE1 0NQ

TUES JULY 17th - SUN JULY 29th
open 10am - 6pm

PRIVATE VIEW

25th JULY 6.30pm - 9pm

for further info visit
www.tenfeetaway.wordpress.com
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